

URGENCY ORDINANCE NO. 23-03-U

AN UNCODIFIED URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAYWOOD, CALIFORNIA AMENDING AND EXTENDING URGENCY ORDINANCE NO. 23-01-U REGARDING AN INTERIM PROHIBITION OF RENT INCREASES ON CERTAIN RESIDENTIAL PROPERTIES

THE CITY COUNCIL OF THE CITY OF MAYWOOD DOES ORDAIN AS FOLLOWS:

WHEREAS, the City of Maywood (“the City”) is a general law city, incorporated under the laws of the State of California; and

WHEREAS, pursuant to its police power, the City may enact and enforce laws within its boundaries that promote the public health, morals, safety, or general welfare of the community, and are not in conflict with general laws; and

WHEREAS, rents throughout Los Angeles County are continuing to rise despite the State’s Tenant Protection Act of 2019 (Tenant Protection Act), and as housing costs rise, many local residents continue to struggle with a decrease in affordability, housing insecurity, and potential homelessness, particularly low-income households and those persons who continue to be negatively impacted by various external stresses such as inflation and COVID-19; and

WHEREAS, Los Angeles County and the cities within the County are experiencing a housing affordability crisis, which is driving homelessness and displacement of residents; and

WHEREAS, many of the City’s renters are rent-burdened, paying over 30 percent of their income on rent, and some renters are severely rent-burdened, paying over 50 percent of their income on rent, which leaves less money for families to spend on other necessities like food, healthcare, transportation, and education; and

WHEREAS, pandemic-related tenant protections under the County of Los Angeles and State of California have phased out and/or are gradually phasing out; and

WHEREAS, current State law allows increasing annual rent of five percent (5%) plus the consumer price index (CPI), up to a maximum of ten percent (10%) for properties subject to the Tenant Protection Act of 2019; and

WHEREAS, on February 6, 2023, the City Council adopted Urgency Ordinance No. 23-01-U, and established an interim prohibition of rent increases on certain residential properties for a period of 60 days; and

WHEREAS, Urgency Ordinance No. 23-01-U is intended to temporarily stabilize the rental market and prohibit rent increases on a temporary basis to protect tenants from

rising rent costs while the City studies the issue of rent stabilization and associated programs; and

WHEREAS, on March 22, 2023, the City Council adopted Urgency Ordinance No. 23-02-U to extend the sunset date of Urgency Ordinance No. 23-01-U to June 8, 2023;

WHEREAS, the City is still studying the matter and needs additional time to review the formation of a rent stabilization program;

WHEREAS, this Urgency Ordinance No. 23-03-U will amend and extend the sunset date of Urgency Ordinance No. 23-01-U to September 28, 2023;

WHEREAS, unless this ordinance take effect immediately as provided herein, there is a high likelihood that residential renters will be subject to economic hardship and potential displacement that may lead to homelessness to the detriment of the public health, safety and welfare;

WHEREAS, Government Code Sections 36934 and 36937 authorize the City to adopt an Urgency Ordinance for the immediate preservation of the public peace, health and safety, provided that such Urgency Ordinance is passed by a four-fifths vote of the City Council; and

WHEREAS, for all these reasons, *inter alia*, the City Council finds there is a current and immediate threat to the public health, safety and welfare and that increases in rent for certain residential tenancies would result in that threat to the public health, safety or welfare absent implementation of the restrictions contained in this ordinance. Accordingly, there is an urgent need for the immediate preservation of the public peace, health, and safety to enact this ordinance on an urgency basis.

Section 1. Recitals. The recitals above are true and correct and incorporated herein by this reference as if set forth in full.

Section 2. Findings. Based on the findings set forth in the Recitals, the City Council finds and declares this Urgency Ordinance to be necessary for the immediate preservation of the public health, safety and welfare and upon that basis has determined that an urgency measure, pursuant to Government Code Section 36937(b) is warranted and shall take effect immediately upon adoption by a fourth-fifths vote of the City Council.

Section 3. Extension of Sunset Date. Section 7 of Urgency Ordinance No. 23-01-U is hereby amended to read as follows:

“This Urgency Ordinance shall expire by its own terms on September 28, 2023, unless otherwise extended or repealed by action of the City Council.”

Section 4. Uncodified. This Ordinance shall not be codified.

Section 5. Inconsistent Provisions. Any provision of the Maywood Municipal Code or appendices thereto that conflicts with the provisions of this Urgency Ordinance,

to the extent of such conflict and no further, is hereby repealed or modified to the extent necessary to implement the provisions of this Urgency Ordinance and Urgency Ordinance No. 23-01-U.

Section 6. Severability. If any section, subsection, sentence, clause, or phrase of this Urgency Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Urgency Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

Section 7. California Environmental Quality Act. The City Council finds and determines that this Urgency Ordinance is not subject to the requirements of California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2), constituting an activity that will not result in a direct or reasonably foreseeable indirect physical change in the environment, and pursuant to Section 15060(c)(3) constituting an activity that is not a project as defined in Section 15378.

Section 8. Effective Date. This Ordinance is an urgency ordinance for the immediate preservation of the public peace, health, and safety within the meaning of Government Code Section 36937(b), and therefore shall be passed immediately upon its introduction and shall become effective immediately upon its adoption.

Section 10. Certification and Publication. The City Clerk shall certify to the passage and adoption of this Urgency Ordinance and shall cause the same to be published or posted in the manner prescribed by law.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Maywood at the regular meeting of this 24th day of May, 2023.

Frank Garcia, Mayor

ATTEST:

Andrea Aguilar, City Clerk

APPROVED AS TO FORM:

Roxanne Diaz, City Attorney

I, Andrea Aguilar, City Clerk of the City of Maywood, do hereby certify that the foregoing Urgency Ordinance was adopted at a regular meeting of the City Council of the City of Maywood held on the 24th day of May, 2023 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Andrea Aguilar, City Clerk